

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PATRIK GUSTAVSSON

Case No. 2:20-mc-00111-RSL

V.

SURREPLY TO PATRIK
GUSTAVSSON'S REPLY IN
SUPPORT OF HIS MOTION TO SEAL

PLAINTIFFS IN IN RE: ETHIOPIAN AIRLINES FLIGHT ET 302 CRASH,

REDACTED

**NOTED ON MOTION CALENDAR:
FRIDAY, DECEMBER 18, 2020**

I. RELIEF REQUESTED

COME NOW the Plaintiffs in In re: Ethiopian Airlines Flight ET 302 Crash and respectfully submit their Surreply to Patrik Gustavsson's Reply In Support of His Motion to Seal to strike the statement that Plaintiffs acknowledge merit to his Motion and that it goes unopposed. To be clear, Plaintiffs believe there are public interest issues present in Gustavsson's motion to quash outweighing his private concerns, and the Motion to Seal must be denied.

II. ARGUMENT AND AUTHORITY

The Motion to Seal was originally noticed to be heard with the Motion to Quash or Modify Subpoena (Dkt. # 2 at p. 1). The Motion to Quash or Modify Subpoena was then renoticed to January 8, 2021 (Dkt. # 5 at p. 1); however, Plaintiffs mistook this to mean both Motions were renoticed to January 8, 2021, to be presented together, and therefore did not file a

1 response to the Motion to Seal on December 16. However, the movant's assertion that "the Court
2 should construe the lack of any opposition to the Motion to Seal to an admission that the motion has
3 merit" is incorrect and must be stricken, as Plaintiffs oppose the Motion for the following
4 reasons:

5 "There is a strong presumption of public access to the court's files." LCR 5(g). The primary
6 reason offered for sealing is that [REDACTED]
7 [REDACTED] [REDACTED]
8 [REDACTED]. Plaintiffs oppose this reason as being without merit.

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED].

15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED] [REDACTED]
10 [REDACTED]
11 [REDACTED]

12 Wherefore, Plaintiffs request this Court strike the statements in Gustvasson's Reply that his
13 motion is unopposed and that Plaintiffs agree it has merit; to the contrary, as set forth herein it is
14 Plaintiffs' position the Motion to Seal must be denied.

15 DATED this 21st day of December, 2020.

16 SCHROETER GOLDMARK & BENDER

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Flight ET 302 Crash*

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2 **CERTIFICATE OF SERVICE**

3

4 I hereby certify that on the below date I electronically filed the foregoing with the Clerk of
5 the Court using the CM/ECF system which will send notification of such filing to the following:

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14 DATED this 21st day of December, 2020, at Seattle, Washington.

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